**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**CIVIL APPELLATE JURISDICTION**

**FIRST APPEAL NO. 587 OF 2004**

The Regional Director, ESIC ..Appellants

versus

ESCO (Poona) Pvt. Ltd. ..Respondents

Mr. H. V. Mehta for the Appellants.

**CORAM : D. G. DESHPANDE,J.**

**DATE : 12TH SEPTEMBER,2005**

**P.C. :**

1. Heard counsel for the appellants.

2. Mr. Mehta pointed out judgment of this court reported in **2005 Labour and Industrial Cases 1003 M/s. Aboo Marble & Mining Pvt. Ltd. vs. Regional Director, ESIC, Mumbai,** and fairly concedes that since it is a legal position, the appeal does not survive. Accordingly Appeal is dismissed.

12.9.2005 (D.G. DESHPANDE, J.)